

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.3071 of 2014

Date of Decision.10.04.2015

Smt. Vinod widow of Amrik Singh and others

.....Petitioners

Versus

Managing Director, Punjab State Civil Supplies Corporation Ltd. And
others

.....Respondents

Present: Mr. Vishal Gupta, Advocate
for the petitioners.

Mr. Manpreet Singh Dua, Advocate for
Mr. Parvez Chugh, Advocate
for respondent Nos.3 to 5.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The petitioner is legal representative of a deceased partner of a firm who was party to an arbitral proceeding. The Arbitrator had noted the death of the party but proceeded to pass award against the legal representative even without impleading legal representatives. It appears that when execution was filed for enforcement of the award, the legal representative was served and he has filed a petition under Section 34 of the Arbitration and Conciliation Act, 1996. He has also applied for stay of the proceedings and the Court has declined it.
2. There was not even a need for filing an application for stay, for, it is held in several decisions that the petition under Section 34 of the Arbitration and Conciliation Act, 1996 itself operates automatic

stay. The plaintiff has overdone his own brief and has come by an adverse order. The order declining the stay is set aside. The Executing Court shall not put the award in execution till the petition under Section 34 of the Act is disposed of.

3. With these observations, the civil revision is disposed of.

(K. KANNAN)
JUDGE

April 10, 2015
Pankaj*